

RETURN DATE: AUGUST 28, 2018 : SUPERIOR COURT
IN RE: PAUL PIZZO : J.D. OF NEW BRITAIN
: AT NEW BRITAIN
APPEAL FROM DECREE OF PROBATE
COURT, DISTRICT OF NEWINGTON : JULY 30, 2018

COMPLAINT
REASONS FOR APPEAL

1. The decedent, Paul Pizzo, a resident of Wethersfield, Connecticut died on September 5, 2017.
2. An instrument purporting to be the Will of decedent dated December 14, 2010 was submitted to probate.
3. By decree dated July 10, 2018 said instrument was admitted to Probate by the Court of Probate for the District of Newington.
4. The decedent was not of sound mind when he executed the December 14, 2010 instrument.
5. The decedent was suffering from an insane delusion when he executed the December 14, 2011 instrument.
6. The decedent was under the improper and undue influence of Linda Carvalho when he executed the December 14, 2010 instrument.

7. Linda Carvalho has been appointed Executrix of the decedent's estate and also has an interest in this matter as a daughter and an heir at law of the decedent.

8. The Appellant, Stacy Holloway, is the daughter of Lisa Holloway, the deceased daughter of Paul Pizzo, and has an interest in this matter as heir at law of the decedent and is aggrieved by said decree of the Probate Court.

A copy of Judge Robert A. Randich's decision dated July 10, 2018 is annexed and marked as Exhibit A.

CLAIMS FOR RELIEF

WHEREFORE, pursuant to C.G.S. §45a-186, the Appellant/Plaintiff appeals from the Decree of the Probate Court and prays this Court to conduct a Trial de Novo on the admission to Probate the Will of the decedent.

APPELLANT/PLAINTIFF,
STACY HOLLOWAY

BY


Annette Smith

Kenny, Brimmer & Mahoney, LLC
Her Attorneys

KENNY, BRIMMER & MAHONEY, LLC

78 BEAVER ROAD, SUITE 2G, WETHERSFIELD, CT 06109

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EXHIBIT A

STATE OF CONNECTICUT
COURT OF PROBATE

COURT OF PROBATE, Newington Probate Court

DISTRICT NO. PD07

ESTATE OF

Paul Pizzo (17-0554)

LATE OF Wethersfield, DECEASED

DATE WILL ADMITTED TO
PROBATE

July 10, 2018

NAME(S) OF BENEFICIARY(IES) UNDER WILL

Linda Carvalho

NAME(S) OF CURRENT AND PRESUMPTIVE REMAINDER BENEFICIARY(IES) UNDER TRUST(S) ESTABLISHED UNDER WILL

NAME AND ADDRESS OF FIDUCIARY AND FIDUCIARY'S ATTORNEY

Linda Carvalho, 89 Goff Brook Circle, Wethersfield, CT 06109

Attorney for Linda Carvalho: Richard P. Kuzmak, Esq., McVane, Bellobuono, Kuzmak, Wiezalis & Bibisi, 801 Maple Avenue, Hartford, CT 06114, (860)956-0043

Probate bond was not required of the fiduciary.

A beneficiary has the right to request a change in the amount of the probate bond.

You are hereby notified that the will of the above-named deceased has been admitted to probate by decree dated 07/10/2018, a copy of which is enclosed. You may have an interest in the form of a devise or a bequest under the will. C.G.S. section 45a-293 and the Probate Court Rules of Procedure, section 30.6 (b).

If you have questions or would like additional information, you are advised to communicate with the fiduciary or his or her attorney.

Dated at: Newington, Connecticut, on July 10, 2018.



Stacey Doucette, Assistant Clerk

FOR COURT USE ONLY: Probate Court Rules of Procedure, section 30.6 (b). Copies mailed to all parties.



Stacey Doucette, Assistant Clerk

JUL 13 2018

COURT OF PROBATE, Newington Probate Court

DISTRICT NO. PD07

ESTATE OF

Paul Pizzo, Late of Wethersfield, CT., deceased (17-0554) ~~DECEASED~~

FIDUCIARY'S NAME AND ADDRESS

POSITION OF TRUST

Linda Carvalho, 89 Goff Brook Circle, Wethersfield, CT 06109

Executrix

At a court of probate held at the place and time of hearing set by the court, together with any continuances thereof, as of record appears, on the petitioner's application for all as in the application more fully appears.

PRESENT: Hon. Robert A. Randich

After due hearing, THE COURT FINDS that:

The above-named decedent died on the following date September 05, 2017, domiciled at the time of death at 351 Brimfield Road, Wethersfield, CT 06109 and having estate whereof administration appertains to this court, and administration of the estate ought to be granted.

Notice was given in accordance with any order of notice previously entered.

The fiduciary named above has accepted the position of trust designated above.

The fiduciary is excused by the will from giving probate bond or is a bank or trust company duly qualified according to law.

And it is ORDERED AND DECREED that:

The will (*and codicils, if any*) is duly proved, and the same is approved and admitted to probate as the LAST WILL AND TESTAMENT of the deceased, and the fiduciary named above is approved, and letters testamentary are hereby issued to the fiduciary.

And it is further ORDERED AND DECREED that:

Within two months from the date hereof, the fiduciary shall file a true and complete inventory of all property of the estate of the deceased.

Within six months from the decedent's date of death, the fiduciary shall file the Connecticut Estate Tax Return.

The fiduciary is allowed twelve months within which to settle the estate.

All claims against the above estate be presented pursuant to the provisions of C.G.S. Ch. 802b, Part VII.

The fiduciary shall immediately record a Notice for Land Records/Appointment of Fiduciary, PC-251, in the land records of each town where the decedent owned or had an interest in real property.

Notice of this decree be given by the judge, clerk or assistant clerk by regular mail, not more than TEN days from the date hereof.

Dated at Newington, Connecticut, on July 10, 2018.



Robert A. Randich, Judge

COURT OF PROBATE, Newington Probate Court

DISTRICT NO. PD07

ESTATE OF/IN THE MATTER OF

Paul Pizzo (17-0554)

PETITION FOR:

Admit Will

DATE OF DECREE:

7/10/2018

CERTIFICATION

The undersigned hereby certifies that a copy of the above decree was mailed on 7/11/18 to the following as provided in the Probate Court Rules of Procedure, section 8.2:

Name and Address

Linda Carvalho, 89 Goff Brook Circle, Wethersfield, CT 06109

Stacy Holloway, 206 Meyers Drive, Rocky Hill, CT 06067

Annette Smith, Esq. (attorney for Stacy Holloway), Kenny, Brimmer & Mahoney, LLC, 78 Beaver Road, Suite 2G, Wethersfield, CT 06109

Richard P. Kuzmak, Esq. (attorney for Linda Carvalho), McVane, Bellobuono, Kuzmak, Wiezalis & Bibisi, 801 Maple Avenue, Hartford, CT 06114

Stacey Doucette

Stacey Doucette, Assistant Clerk